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8 *Attorney for Defendant, Jan Rouven Fuechtener*

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 vs.

11 JAN ROUVEN FUECHTENER,

12 Defendant.

CASE NO.: 2:16-CR-100-GMN-CWH

**STIPULATION TO CONTINUE
SENTENCING HEARING**

13 IT IS HEREBY STIPULATED AND AGREED, by and between Elham Roohani and Lisa
14 C. Cartier-Giroux, Assistant United States Attorneys, counsel for the United States of America, and
15 Karen A. Connolly, counsel for Defendant JAN ROUVEN FUECHTENER, that the sentencing
16 hearing currently scheduled for October 5, 2017, at the hour of 10:30a.m., be vacated and continued
17 for approximately 45 days after a decision on Defendant's Motion to Withdraw Guilty Plea has
18 been rendered.

19 This Stipulation is entered into for the following reasons:

20 1. The parties agree to the continuance for the following reasons: There has not yet
21 been a decision regarding Defendant's Motion to Withdraw Guilty Plea. Once a decision has
22 been rendered by the court, the parties are requesting 45 days for Sentencing.

23 2. The additional time requested herein is not sought for purposes of delay.

24 3. Additionally, denial of this request for continuance could result in a miscarriage of
25 justice.

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27 ///

1 4. This is the fourth request to continue the sentencing date.

2 DATED this 4th day of October, 2017.

3 KAREN A. CONNOLLY, LTD.

STEVEN W. MYHRE
United States of America

4
5 /s/ Karen A. Connolly

KAREN A. CONNOLLY

6 Counsel for Jan Rouven Fuechtener

/s/ Elham Roohani

ELHAM ROOHANI

LISA C. CARTIER-GIROUX

Assistant United States Attorneys
Counsel for Plaintiff

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1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 vs.

6 JAN ROUVEN FUECHTENER,

7 Defendant.

CASE NO.: 2:16-cr-100-GMN-CWH

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

8 **FINDINGS OF FACT**

9 Based on the Stipulation of counsel, and good cause appearing therefore, the Court finds that:

- 10 1. The parties agree to the continuance for the following reasons: There has not yet
11 been a decision regarding Defendant's Motion to Withdraw Guilty Plea. Once a decision has
12 been rendered by the court, the parties are requesting 45 days for Sentencing.
- 13 2. The additional time requested herein is not sought for purposes of delay.
- 14 3. Additionally, denial of this request for continuance could result in a miscarriage of
15 justice.
- 16 4. This is the fifth request to continue the sentencing date.

17 For all of the above-stated reasons, the ends of justice would best be served by a continuance
18 of the sentencing.

19 **CONCLUSIONS OF LAW**

20 The ends of justice served by granting said continuance outweigh the best interest of the
21 public and the defendant in a speedy trial, since the failure to grant said continuance would be
22 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
23 opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking
24 into account the exercise of due diligence.

25 The continuance sought herein is excusable under the Speedy Trial Act, title 18, United States
26 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section
27 3161(h)(7)(B)(i), (iv).

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ORDER

IT IS THEREFORE ORDERED that the Sentencing Hearing currently scheduled for October 5, 2017, at the hour of 10:30 a.m., be vacated and set continued to _____ at the hour of _____.m.

DATED this _____ day of October 2017.

UNITED STATES DISTRICT JUDGE